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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,250	04/14/2004	Michael Wai Ho Keong	MCHK/167/US	5748
2543	7590	02/09/2006	EXAMINER	
ALIX YALE & RISTAS LLP 750 MAIN STREET SUITE 1400 HARTFORD, CT 06103			GRAVINI, STEPHEN MICHAEL	
			ART UNIT	PAPER NUMBER
			3749	
DATE MAILED: 02/09/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/824,250

Applicant(s)

KEONG, MICHAEL WAI HO

Examiner

Stephen Gravini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 20 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1,2 and 4-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-2 4-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1-2, 4-6, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Slingo (US 6,378,225). Slingo is considered to disclose the claimed invention comprising:

an air outlet aperture across which there is situated at least two electrically isolated thermal-capacitance elements **100** configured to moderate air temperature of air exhausted through the nozzle by absorption, retention and re-radiation of thermal energy contained in the air exhausted through the nozzle wherein the disclosed ceramic radiator **100** which is disclosed to be made up of silica oxide and aluminum oxide elements is considered to meet the claimed plurality of claimed elements because the radiator is made up of at least two electrically isolated thermal capacitance elements, i.e. silica oxide and aluminum oxide or the ceramic tube disclosed in column 1 and shown in figures 1 and 2 as having more than one element, i.e. a top element and bottom element; furthermore the ceramic radiator is broadly and reasonably construed from the specification to anticipate the claimed electrically isolated thermal-capacitance elements, because ceramic is known to those skilled in the art not to conduct electricity, hence it is electrically isolated, and also to those skilled in the art, it absorbs, retains and re-radiates heat as thermal energy further considered to anticipate the claimed elements. Slingo is also considered to disclose the claimed element having opposed

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ends and the outlet aperture has slots therein into each of which a respective said opposed end is received in figure 1, a pair of said elements in parallel spaced-spaced interrelationship in figure 2 and discussed in columns 1 and 2 wherein the , an element is made of a material selected from the group consisting of ceramic, metal and glass at column 2 line 41, and an integrally formed nozzle with a hairdryer body at column 1 line 5.

Claims 9 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Chan (US 5,628,123). Chan is considered to disclose the claimed invention comprising:

an air outlet aperture across which there is situated at least two electrically isolated thermal-capacitance elements **23**, **24** configured to moderate air temperature of air exhausted through the nozzle by absorption, retention and re-radiation of thermal energy contained in the air exhausted through the nozzle wherein the disclosed aluminum reflector **23** and sheet **24** of glass, plastic, crystal or the like is considered to anticipate the claimed two electrically isolated thermal-capacitance elements because both are disclosed as not conducting electricity and to those skilled in the art means both are electrically isolated thermal-capacitance elements and since both work to direct thermal energy such that one skilled in the art would realize that glass, plastic, crystal or the like absorbs thermal energy, retains thermal energy, and re-radiates thermal energy, those features are inherently anticipated by Chan, said nozzle defining a central axis through said outlet aperture **2** and comb teeth **3** projecting from said nozzle in a generally parallel orientation to said central axis including an integrally formed nozzle with a hairdryer body and as a hair dryer attachment.

Claim Rejections - 35 USC § 103

Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slingo in view of Chan. Slingo is considered to disclose the claimed invention, as discussed above under the anticipatory rejection, except for the claimed comb teeth extension. It would have been an obvious to one skilled in the art to combine the teachings of Slingo with comb teeth extension, considered to be taught in Cantor at column 2 line 62 through column 3 line 30, for the purpose of allowing hair dryer manipulation of the drying subject intended to be transactionally related.

Response to Arguments

Applicant's arguments with respect to claims 1-12 have been considered but are not persuasive. Since applicant has amended the claims, the finality of the rejection is considered appropriate and proper.

anticipation

Applicant argues that the prior art does not disclose two electrically isolated thermal-capacitance elements; however this feature is not a limitation of the independently claimed inventions and therefore not persuasive. Current Office practice governs examination by reasonably and broadly construing claims in light of the specification. In this application the amended claim feature to include two electrically isolated thermal-capacitance elements can be reasonably and broadly construed from the specification, as discussed in the rejection above.

obviousness

Applicant argues that the since the anticipatory rejection is overcome, the obviousness rejection should be withdrawn without distinguishing the patentably distinct features over the prior art. Since the anticipatory rejections are considered proper, so are the obviousness rejections and therefore maintained.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

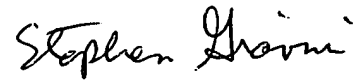
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 571 272 4875. The examiner can normally be reached on normal weekday business hours (east coast time).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571 272 4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SMG
February 3, 2006

A handwritten signature in cursive script, appearing to read "Stephen Gormi".